

REMARKS

The Applicant thanks the Examiner for the thorough consideration given the present application. Claims 3-7 and 10 were previously cancelled without prejudice to or disclaimer of the subject matter contained therein. Claims 1, 2, 8, 9, and 12 are pending. Claims 1, 2 and 12 are amended. Claims 1 and 12 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Allowable Subject Matter

The Examiner states that claims 2 and 12 would be allowable if rewritten in independent form. Applicant thanks the Examiner for the early indication of allowable subject matter in this application. In response,

independent claim 1 has been amended to incorporate the allowable subject matter of objected-to claim 2, and

dependent claim 12 has been rewritten in independent form.

Thus, independent claims 1 and 12 are now in condition for allowance.

Examiner Interview

If, during further examination of the present application, any further discussion with the Applicants' Representative would advance the prosecution of the present application, the Examiner is encouraged to contact Carl T. Thomsen, at 1-703-208-4030 (direct line) at his convenience.

Rejections Under 35 U.S.C. §103(a)

Claim 1 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Yoshimura (JP 2003-096469) in view of Costa et al. (U.S. 3,739,710) and Oota et al. (JP-07-268335);

claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Yoshimura in view of Costa et al., Oota et al., and Jiang (U.S. 2002/0156332); and

claims 9 and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yoshimura in view of Costa et al., Oota et al., and Sugiyama (JP 2002-309270).

These rejections are respectfully traversed.

Independent Claims 1 and 12

As noted above, and while not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the present application,

independent claim 1 has been amended herein to incorporate the subject matter of dependent claim 2; and

dependent claim 12 has been written in independent form.

Therefore, independent claims 1 and 12 are in condition for allowance.

At least for the reasons explained above, the Applicant respectfully submits that the combination of elements as set forth in each of independent claims 1 and 12 is not disclosed or made obvious by the prior art of record, including Yoshimura, Costa et al., and Oota et al.

Dependent Claims

The Examiner will note that dependent claim 2 has been amended to depend from independent claim 12.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

All pending claims are now in condition for allowance.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.


All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030(direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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By 
James M. Slattery
Reg. No. 28,380

BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100E
P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

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